

MINUTES

CIVIL SERVICE COMMISSION MEETING

Wednesday, January 12, 2011, at 9:30 a.m.

522 Kenneth Hahn Hall of Administration
Los Angeles, California 90012

9:30 A.M. CLOSED SESSION

Consideration of the appointment, employment, evaluation of performance, discipline, or dismissal of public employees pursuant to Government Code Section 54957, for the positions listed below.

CONVENED THE MEETING AT 9:31 A.M. AND WENT INTO CLOSED SESSION AT 9:32 A.M.

10:00 A.M. AGENDA

RECONVENED THE MEETING AT 10:24 A.M.

COMMISSIONERS PRESENT: ADKINS, FELTON, FOX, KAHWAJIAN, MARTINEZ

Minutes of the meeting of Wednesday, January 5, 2011, for approval
APPROVED. COMMISSIONER FOX ABSTAINED.

Unfinished Business

1. *Petition of **JAMES H. FLACK** for a hearing on his thirty (30) day **suspension**, effective July 2, 2009, from the position of Social Worker, Department of Public Social Services, **Case No. 09-1263.***
ANNOUNCED AS THE PROPOSED DECISION OF THE COMMISSION TO ACCEPT THE RECOMMENDATION OF THE HEARING OFFICER, LINDA KLIBANOW, TO DEEM THE PETITION WITHDRAWN PURSUANT TO CIVIL SERVICE RULE 4.08(B).

2. *Petition of **FIDELIA MOREIRA** for a hearing on her thirty (30) day **suspension** pending investigation, and her thirty (30) day **suspension**, effective January 8, 2009, from the position of Eligibility Worker II, Department of Public Social Services, **Case No. 09-1013.***
ANNOUNCED AS THE PROPOSED DECISION OF THE COMMISSION TO ACCEPT THE FINDINGS AND RECOMMENDATION OF THE HEARING OFFICER, IRENE P. AYALA, TO SUSTAIN THE DEPARTMENT.

Unfinished Business (continued)

3. *Petition of **JORGE SANDATE** for a hearing on his ten (10) day **suspension**, effective October 5, 2009, from the position of Community Worker, Department of Mental Health, **Case No. 09-1426**.*
ANNOUNCED AS THE PROPOSED DECISION OF THE COMMISSION TO ACCEPT THE RECOMMENDATION OF THE HEARING OFFICER, ANTHONY MILLER, TO GRANT THE DEPARTMENT'S MOTION TO DISMISS.
4. *Petition of **ROEISHA THOMAS** for a hearing on her **suspension** not to exceed thirty (30) days following judgment of a criminal matter, effective June 24, 2009, and her **discharge**, effective December 28, 2009, from the position of Central Services Technician II, Department of Health Services, High Desert Health System, **Case No. 10-130**.*
ANNOUNCED AS THE PROPOSED DECISION OF THE COMMISSION TO ACCEPT THE RECOMMENDATION OF THE HEARING OFFICER, SYLVIA MARKS-BARNETT, TO DEEM THE PETITION WITHDRAWN PURSUANT TO CIVIL SERVICE RULE 4.08(B).
5. *Petition of **SONYA EDWARDS** for a hearing on her **discharge**, effective June 17, 2009, from the position of Children's Social Worker III, Department of Children and Family Services, **Case No. 09-1235**.*
CONTINUED IN ORDER FOR THE COMMISSION TO READ THE RECORD.
6. *Petition of **BEN MIJUSKOVIC** for a hearing on **various work-related issues** in the position of Supervising Psychiatric Social Worker, Department of Mental Health, based on his claim of a Civil Service Rule 25 violation, **Case No. 09-1190**.*
OVER-RULED THE PETITIONER'S OBJECTIONS. THE COMMISSION ADOPTED AS ITS FINAL DECISION THE FINDINGS AND RECOMMENDATION OF THE HEARING OFFICER, JOHN M. GANTUS, TO DENY THE APPEAL.
7. *Petition of **VICKIE BRESHERS** for a hearing on her fifteen (15) day **suspension**, effective January 4, 2010, from the position of Social Services Supervisor, Department of Public Social Services, **Case No. 10-12**.*
RECEIVED AND FILED COMMUNICATION WITHDRAWING THE PETITION BASED ON A SETTLEMENT. HEARING CANCELLED.
8. *Petition of **ROSA CABELL** for a hearing on her fifteen (15) day **suspension**, effective May 15, 2009, from the position of Children's Social Worker III, Department of Children and Family Services, **Case No. 09-1170**.*
RECEIVED AND FILED COMMUNICATION WITHDRAWING THE PETITION BASED ON A SETTLEMENT. HEARING CANCELLED.

Unfinished Business (continued)

9. *Petition of **JUANA CAMPOS** for a hearing on her **discharge**, effective January 7, 2010, from the position of Nursing Attendant I, Department of Health Services, LAC+USC Medical Center Healthcare Network, **Case No. 10-10**.*
RECEIVED AND FILED COMMUNICATION WITHDRAWING THE PETITION. HEARING CANCELLED.
10. *Petition of **CARLOS SOTO** for a hearing on his ten (10) day **suspension**, effective January 26, 2010, from the position of Eligibility Worker II, Department of Public Social Services, **Case No. 10-37**.*
RECEIVED AND FILED COMMUNICATION WITHDRAWING THE PETITION BASED ON A SETTLEMENT. HEARING CANCELLED.

New Business

11. *Petition of **SHERYL KNOX** for a hearing on her thirty (30) day **suspension**, effective October 25, 2010, from the position of Children's Social Worker II, Department of Children and Family Services, **Case No. 10-456**.*
HEARING GRANTED – HEARING OFFICER TO BE ASSIGNED.
12. *Petition of **RICARDO MORENO** for a hearing on his fifteen (15) day **suspension**, effective October 4, 2010, from the position of Intermediate Clerk, Department of Public Social Services, **Case No. 10-458**.*
HEARING GRANTED – HEARING OFFICER TO BE ASSIGNED.
13. *Petition of **KORY RAMELLI** for a hearing on her thirty (30) day **suspension**, effective October 14, 2010, from the position of Supervising Staff Nurse I, Department of Health Services, Valley Care/Olive View-UCLA Medical Center, **Case No. 10-474**.*
HEARING GRANTED – HEARING OFFICER TO BE ASSIGNED.
14. *Petition of **ANTHONY G. VOLSAN** for a hearing on his twenty (20) day **suspension**, effective September 13, 2010, from the position of Children's Social Worker III, Department of Children and Family Services, **Case No. 10-455**.*
HEARING GRANTED – HEARING OFFICER TO BE ASSIGNED.

New Business (continued)

15. *Petition of **ZELMA HOLMES** for a hearing on her **reduction**, effective October 4, 2010, from the position of Witness Assistant II to Intermediate Typist Clerk, District Attorney's Office, **Case No. 10-470**.*
CONTINUED AT THE REQUEST OF BOTH PARTIES, IN ORDER TO ATTEMPT RESOLUTION.
16. *Petition of **PATRICIA JEDERBERG** for a hearing on her **reduction**, effective October 16, 2010, from the position of Senior Cook to Personal Property Worker, Probation Department, **Case No. 10-465**.*
HEARING GRANTED – HEARING OFFICER TO BE ASSIGNED.
17. *Petition of **CRYSTAL A. FAIR** for a hearing on her **discharge**, effective October 8, 2010, from the position of Supervising Legal Office Support Assistant, Office of the County Counsel, **Case No. 10-475**.*
HEARING GRANTED – HEARING OFFICER TO BE ASSIGNED. (LES TOLNAI, COUNTY COUNSEL, DID NOT ADVISE THE COMMISSION.)
18. *Petition of **SANDY CARLISLE** for a hearing on her **discharge**, effective May 18, 2010, from the position of Children's Social Worker III, Department of Children and Family Services, **Case No. 10-173**.*
CONTINUED AT THE REQUEST OF LISA POMPA, REPRESENTATIVE FOR THE PETITIONER, IN ORDER TO ATTEMPT RESOLUTION.
19. *Amended petition of **CRYSTAL MUNSON** for a hearing on her **Appraisal of Promotability and rating from records scores and denial of promotion** to the position of Capital Projects Management Associate, PW, Department of Public Works, **Case No. 10-252**.*
DENIED. (NO ONE APPEARED FOR THE PETITIONER.)
20. *Amended petition of **CRYSTAL MUNSON** for a hearing on her **involuntary transfer**, effective July 1, 2010, in the position of Senior Civil Engineering Assistant, Department of Public Works, based on her claim of a Civil Service Rule 25 violation, **Case No. 10-371**.*
DENIED. (NO ONE APPEARED FOR THE PETITIONER.)
21. *Petition of **DAPHNE TEOH** for a hearing on the Director of Personnel's **denial of her promotion** to the position of Senior Community Mental Health Psychologist, Department of Mental Health, based on her claim of a Civil Service Rule 25 violation, **Case No. 10-453**.*
HEARING DENIED.

Miscellaneous

22. Opportunity for members of the public to address the Commission on items of interest that are within the subject matter jurisdiction of the Commission.
VICTOR MANRIQUE COMMENTED ON THE BURDEN OF PROOF IN HEARINGS AND THE ADVERSE EFFECT ON EMPLOYEES WHEN USING THE ABUSE OF DISCRETION STANDARD.

ADJOURNED TO CLOSED SESSION AT 11:14 A.M.

CLOSED SESSION

Consideration of confidential peace officer appeals pursuant to Copley Press.

Unfinished Business

23. *Petitioner's request for a hearing on his thirty (30) day **suspension**, effective June 1, 2009, from the position of Deputy Probation Officer II, Probation Department, **Case No. 09-1179.***
ANNOUNCED AS THE PROPOSED DECISION OF THE COMMISSION TO ACCEPT THE FINDINGS AND RECOMMENDATION OF THE HEARING OFFICER, GEORGE G. ROMAIN, TO SUSTAIN THE DEPARTMENT.
24. *Petitioner's request for a hearing on his fifteen (15) day **suspension**, effective May 23, 1010, from the position of Deputy Sheriff, Sheriff's Department, **Case No. 10-179.***
RECEIVED AND FILED COMMUNICATION WITHDRAWING THE PETITION. HEARING CANCELLED.

New Business

25. *Petitioner's request for a hearing on his twenty-three (23) day **suspension**, effective October 18, 2010, from the position of Deputy Probation Officer I, Probation Department, **Case No. 10-469.***
HEARING GRANTED – HEARING OFFICER TO BE ASSIGNED.
26. *Petitioner's request for a hearing on his **discharge**, effective September 17, 2010, from the position of Deputy Probation Officer II, Probation Department, **Case No. 10-460.***
HEARING GRANTED – HEARING OFFICER TO BE ASSIGNED.
27. *Amended petition for a hearing on his **indefinite suspension**, effective June 27, 2010, from the position of Deputy Sheriff, Sheriff's Department, **Case No. 10-333.***
CONTINUED TO THE MEETING OF JANUARY 19, 2011, AT THE REQUEST OF MITCHELL S. KANDER, ATTORNEY FOR THE PETITIONER.
28. *Petitioner's request for a hearing on the Director of Personnel's denial of her appeal of the **Appraisal of Promotability score** received in the examination for Deputy Probation Officer II, Field, **Case No. 10-462.***
CONTINUED TO THE MEETING OF FEBRUARY 9, 2011, AT THE REQUEST OF THE DEPARTMENT, FOR FURTHER REVIEW.

CLOSED SESSION (continued)

New Business (continued)

29. *Petitioner's request for a hearing on the Director of Personnel's denial of her appeal of the **Appraisal of Promotability score** received in the examination for Supervising Deputy Probation Officer, **Case No. 10-448**.*
CONTINUED AT THE REQUEST OF THE PARTIES FOR FURTHER REVIEW.

ADJOURNED CLOSED SESSION AND RECONVENED THE MEETING AT 11:17 A.M.

READ INTO THE RECORD AN ACCOUNTING OF ACTIONS TAKEN DURING CLOSED SESSION.

ADJOURNED THE MEETING AT 11:18 A.M.

Legal Advisor: (except item number 17)
Lester J. Tolnai

Deputy Executive Director:
Sandy Stivers

Head Commission Specialist:
Janice Davis

APPROVED BY THE CIVIL SERVICE
COMMISSION ON JANUARY 12, 2011

A handwritten signature in cursive script that reads "Lawrence D. Crocker".

Lawrence D. Crocker
Executive Director